HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE

–

AND

HON'BLE SHRI JUSTICE G.BHAVANI PRASAD

Writ Petition No.8077 OF 2006

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Between:

P. Mansoor Ahmed .... Petitioner

AND

Commissioner, Adoni Municipality,

Adoni & another. ....Respondents

::O R D E R::

Counsel for the Petitioner : Sri J.Janaki Rami Reddy

Counsel for Respondent No.1 : Sri S.I.Newton

Counsel for Respondent No.2 : Government Pleader for Municipal

Administration & Urban Development

20th APRIL 2006

Per G.S.Singhvi, C.J.

This is a petition for declaration of Rule 7 (e) of the Andhra Pradesh Municipalities (Regulation of Receipts And Expenditure) Rules, 1968 as ultra vires to Section 277 and 326 of the Andhra Pradesh Municipalities Act, 1965 and the Indian Stamp Act, 1899 as also the Registration Act, 1908. Another prayer made by the petitioner is to set aside the endorsement dated 31-3-2006 bearing R.O.C.No.1015/06/A1 and Notice dated 12-4-2006 bearing R.O.C.No.522/06/A1, whereby Commissioner, Adoni Municipality, Adoni, Kurnool District demanded registration of the lease deed and furnishing of Bank Guarantee.

After arguing the case for some time, learned counsel for the petitioner made a request that his client may be permitted to withdraw the writ petition with liberty to make representation against communication dated 12-4-2006 and avail appropriate legal remedy, if any adverse order is passed against him.

The request of the learned counsel is accepted and the writ petition is dismissed as withdrawn in terms of the prayer made. Needless to say that if any adverse action is taken by the Municipality, then the petitioner shall be free to file fresh petition.

G.S.SINGHVI, C.J.

20th April, 2006.

G.BHAVANI PRASAD, J.

ARS/GRR